

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

STANTON HARRY MCCAIN, II,

Plaintiff,

v.

DEPARTMENT OF CORRECTIONS;
FRANK JOHN SMITH, M.D.;
STEPHEN SINCLAIR; JONI
AIYEKU; DONALD HOLBROOK;
STEVEN HAMMOND, M.D.; LISA
KLEMME; and KAREN FORSS,

Defendants.

NO: 4:18-CV-5174-TOR

ORDER OF DISMISSAL AS TO JONI
AIYEKU ONLY

BEFORE THE COURT is Plaintiff's Request to Remove Joni Aiyeku from Defendant List (ECF No. 68), construed as a motion to dismiss. In accordance with Federal Rule of Civil Procedure 25(a), Counsel for Defendants filed a Statement Noting a Party's Death on March 4, 2021. ECF No. 67. Plaintiff now seeks to remove Defendant Joni Aiyeku as a Defendant.

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1 **ACCORDINGLY, IT IS HEREBY ORDERED:**

2 All claims and causes of action in this matter against Defendant Joni Aiyekeu
3 are **DISMISSED** with prejudice and without costs or fees to any party.

4 The Clerk of Court shall adjust the docket sheet accordingly.

5 The District Court Executive is directed to enter this Order and furnish
6 copies to the parties.

7 **DATED** March 23, 2021.



A handwritten signature in blue ink that reads "Thomas O. Rice".

9 THOMAS O. RICE
10 United States District Judge